

House Bill 952

By: Representative Fludd of the 66<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend Code Section 12-8-40.1 of the Official Code of Georgia Annotated, relating to tire disposal restrictions, so as to provide certain requirements for storage of scrap tires; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Code Section 12-8-40.1 of the Official Code of Georgia Annotated, relating to tire disposal restrictions, is amended by revising subsections (f) and (g) as follows:

"(f) No person may store more than 100 scrap tires anywhere in this state. Any person storing in excess of 100 scrap tires shall be deemed to be in violation of this part.

(g)(1) Subsection (f) of this Code section shall not apply to:

~~(1)(A)~~ A solid waste disposal site permitted by the division if the permit authorizes the storage of scrap tires prior to their disposal;

~~(2)(B)~~ A tire retailer with not more than 3,000 scrap tires in storage;

~~(3)(C)~~ A tire retreader with not more than 1,500 scrap tires in storage so long as the scrap tires are of the type the retreader is actively retreading;

~~(4)(D)~~ An auto salvage yard with not more than 500 scrap tires in storage; and

~~(5)(E)~~ A scrap tire processor approved by the division so long as the number of scrap tires in storage do not exceed the quantity approved by the division.

(2) Entities eligible for any exemption provided by subparagraphs (B) through (E) of paragraph (1) of this subsection shall be subject to the following restrictions:

(A) Any scrap tires stored indoors shall be managed under conditions that meet those in the *Standard for Storage of Rubber Tires*, NFPA 231D-1986 edition, published by the National Fire Protection Association, unless some other applicable standard is adopted by rule or regulation of the Safety Fire Commissioner pursuant to Chapter 2 of Title 25;

1 (B) Any scrap tires stored outdoors shall be managed in accordance with the following  
2 standards:

3 (i) An outdoor tire pile or processed tire pile shall have no greater than the following  
4 maximum dimensions:

5 (I) Width: 50 feet;

6 (II) Area: 10,000 square feet; and

7 (III) Height: 15 feet;

8 (ii) A 50 foot wide fire lane shall be placed around the perimeter of each scrap tire  
9 pile. Access to the fire lane for emergency vehicles shall be kept unobstructed at all  
10 times. In the event of fire, the owner or operator shall, upon receipt of notification of  
11 a fire, immediately take all necessary steps to control and extinguish the fire,  
12 including all oil and other residue created by the fire; and

13 (iii) The owner or operator shall control mosquitoes and rodents so as to protect the  
14 public health and welfare; and

15 (C) All scrap tires stored indoors or outdoors shall be managed in accordance with the  
16 following standards:

17 (i) No operations involving the use of open flames shall be conducted within 25 feet  
18 of a scrap tire pile;

19 (ii) An approach and access road to the facility shall be kept passable for any motor  
20 vehicle at all times;

21 (iii) Access to the facility shall be controlled through the use of fences, gates, or other  
22 means;

23 (iv) An attendant shall be present when the facility is open for business if the facility  
24 receives tires from persons other than the operator of the facility;

25 (v) The facility shall be bermed or given other adequate protection to keep liquid  
26 runoff from a potential tire fire from entering waters of the state;

27 (vi) Fire protection services for the facility shall be assured through notification to  
28 local fire protection authorities. A fire safety survey shall be conducted;

29 (vii) Communication equipment shall be maintained at the facility to assure that the  
30 facility operator can contact local fire protection authorities in case of a fire;

31 (viii) The facility shall be kept free of long grass, underbrush, and other potentially  
32 flammable vegetation at all times; and

33 (ix) The operator of the facility shall prepare and keep at the facility an emergency  
34 preparedness manual. The manual shall be updated at least once annually or upon  
35 changes in operations at the site. The manual shall contain the following elements:

36 (I) A list of names and numbers of persons to be contacted in the event of a fire,  
37 flood, or other emergency;

1 (II) A list of the emergency response equipment at the facility, its location, and how  
2 it should be used in the event of a fire or other emergency; and

3 (III) A description of the procedures that should be followed in the event of a fire,  
4 including procedures to contain and dispose of the oil and other residue generated  
5 by the combustion of large numbers of tires."

6 **SECTION 2.**

7 All laws and parts of laws in conflict with this Act are repealed.